

Board of Selectmen's Minutes
February 22, 2007
Harpswell Town Office
Approved on March 29, 2007

Page 1 of 4

Selectmen Present: Amy N. Haible, J. Katherine Chatterjee and Chairman Samuel W. Alexander

Staff Present: Kristi K. Eiane, Town Administrator; Terri Sawyer, Deputy Town Administrator; William Wells, Code Enforcement Officer; Marguerite Kelly, Treasurer and Jim Hays, Harbormaster

Call to Order and Pledge of Allegiance: The meeting was called to order by Chairman Alexander at 6:30 p.m. with the Pledge of Allegiance. The meeting was videotaped and broadcast live on Harpswell Community Television.

1. Adoption of the Agenda: Chairman Alexander moved, seconded by Selectman Haible to amend the agenda by adding 21a, Executive Session, and to adopt the amended agenda; motion passed 3-0.

2. Town Administrator's Report: Administrator Eiane reminded the public that Town Meeting is Saturday, March 10 with the business meeting beginning at 10:00 a.m. Administrator Eiane has been in contact with Deb Friedman, from Senator Edmonds Office, regarding the legislative language pertaining to capital school projects. Language has been drafted that will create a circuit breaker program, when the Town reaches the ceiling amount, the State will cover. Ms. Eiane stated that a meeting with Mr. Wilhelm and Mr. Lavender is necessary to work examples to assure this language will be successful.

3. Selectmen's Announcements: Chairman Alexander announced he testified before the State Marine Resource Committee in support of LD 403. Ld 403 would allow towns time between shellfish closures and water quality tests to identify and solve the issues before the allowing a depuration company to enter. Chairman Alexander stated this was an important bill and it appeared the State Marine Resource Committee was in favor of it.

4. Old Business: There was no old business discussed.

5. Wharf Application, Varujan Ozcan, Map 16, Lot 346, 25 Windsor Lane: Bill Wells, Code Enforcement Officer, presented the application and stated the application required the abutter's approval to be located less than 25 feet from the property line, which permission the Ozcans have received. The Board questioned the potential builder, Ben Wallace, on items such as the necessity of the length, the location of eel grass, the proliferation of wharves in the area and the effects on the neighboring commercial fisherman. Chairman Alexander questioned Mr. Hays, Harbormaster, about whether there is a problem with the many moorings in the area. Mr. Hays responded that there are about 9-10 as well as floats in the area. Selectman Haible noted that she would like to add the further investigation of the wharf situation to the Board's upcoming goals. Selectman Haible stated she is inclined to approve this application but wants to deal with the larger picture of multiple wharves. Mr. Leblanc stated the wharf cannot be shortened due to the location of eel grass and boulders. Mr. Leblanc noted the location of the wharf has been placed as far north of the Clemons commercial fishing wharf, 70', due to the south abutter giving setback reduction permission. Mr. Ozcan stated that he attempted to share his wharf with the neighbor but due to multiple issues, it was impossible. Chairman Alexander moved, seconded by Selectman Chatterjee to table the decision on this wharf for a week; motion passed 2-1 (Selectman Haible opposed).

6. Review Fee Schedule (BAC Recommendations): Marguerite Kelly, Treasurer, recommended the increase in fees for the transfer station from \$75 sorted and \$150 sorted to \$100 sorted and \$200 unsorted. Selectman Haible moved, seconded by Selectman Chatterjee to raise the fees as indicated; motion passed 3-0. Marguerite Kelly stated the Budget Advisory Committee agreed with staff recommendations of increasing sign permits to \$25; land use permits to .12/square foot plus \$50 application fee; non-conforming structure applications to

.12/square foot plus \$125 application fee and starting without a permit fee to a minimum of \$250 or triple the fee, whichever is greater in an attempt to cover some of the costs. Selectman Chatterjee moved, seconded by Selectman Haible to raise the fees as indicated; motion passed 3-0. Selectman Chatterjee questioned the status of the remaining fees. Chairman Alexander stated he wanted to delay review of the remainder of fees for now. Selectman Chatterjee suggested the remainder of the fees be reviewed by the Budget Advisory Committee. Chairman Alexander moved, seconded by Selectman Haible to adopt the fee schedule and review annually; motion passed 3-0.

7. Open Bids for Unknown Parcels: Marguerite Kelly, Treasurer, stated the total expenses in this process are approximately \$22,000 plus her time involved of approximately 60 hours. Chairman Alexander opened the bids as follows:

Tax Map 31/43: \$27,510

Tax Map 62/170: \$20,000 and \$6,500

Tax Map 31/33: \$10,000, \$9,880 and \$11,000

Tax Map 16/115: \$10,010, \$8,000, \$35,648.70, \$7,000, \$5,501.00 and \$5,240

Tax Map 29/35: \$40,000, \$4,460 and \$5,000

Selectman Chatterjee requested a map of all lots with abutter information.

8. Warrant Considerations (Articles and Recommendations)

- **Elected Officials Stipends and Travel:** Selectman Chatterjee reviewed Administrator Eiane's memo of possible considerations: 1. reduce Selectmen compensation as it is higher than other towns; 2. consider limiting elected officials health insurance; 3. equalize the rate of pay for the Tax Collector and the Clerk; 4. consider adjusting the Treasurer and Road Commissioner stipend; 5. clarify that ICMA benefits are not available to the Board of Selectmen, Treasurer and Road Commissioner; and 6. make travel compensation of elected officials reimbursement-based provided documentation is received. Selectman Chatterjee suggested the following for discussion: 1. reduce Selectmen's stipend to \$6,000; 2. provide single health coverage for the elected officials (not including Town Clerk and Tax Collector as they are full-time personnel) at the same single rate as employees when their current terms expire; families may be brought on at elected official's expense; 3. equalize the salaries for the Tax Collector and Town Clerk to \$38,579; 4. maintain the Road Commissioner and Treasurer's stipends at \$6,000; 5. eliminate the stipend for travel for all elected officials; travel would be reimbursed on the basis of actual mileage and receipts as all other staff; 6. elected officials with the exception of Town Clerk and Tax Collector, cannot participate in the ICMA retirement plan. The Selectmen's discussion indicated agreement and Selectman Chatterjee read the proposed warrant article for the elected officials which incorporated monetary changes and moved to accept the article; seconded by Selectman Haible; motion passed 3-0. Chairman Alexander moved, seconded by Selectman Chatterjee to place the item on the warrant; motion passed 3-0.
- **Harbor & Waterfront Ordinance Amendments:** Burr Taylor, Chair of the Harbor & Waterfront Committee, thanked the Harbormaster, Selectman Haible, Terri Sawyer and the public for their participation with the proposed amendment ordinance. Selectman Haible moved, seconded by Selectman Chatterjee to add the Harbor and Waterfront Ordinance to the warrant; motion passed 3-0. Deputy Town Administrator Terri Sawyer questioned if the Board would like to add Service Moorings to section 5.1.7 as an exception. Selectman Haible moved, seconded by Chairman Alexander to place the Harbor and Waterfront ordinance with the addition of service moorings to section 5.1.7 to the warrant; motion passed 3-0.

Selectman Chatterjee moved to increase the salary survey warrant item to \$6,000; seconded by Chairman Alexander; motion passed 3-0. Selectman Chatterjee moved, seconded by Selectman Haible to adopt the health insurance amount with a \$7,900 reduction; motion passed 3-0. Chairman Alexander moved, seconded by

Selectman Chatterjee to adopt the deferred compensation plan with an effective date of 4/1/07; motion passed 3-0. The Selectmen reviewed each warrant article and provided their individual recommendations.

9. Consider Personnel Policy Amendment Re: Health Coverage of Elected Officials: Chairman Alexander moved, seconded by Selectman Chatterjee to adopt the personnel policy amendment with an effective date of 4/1/07; motion passed 3-0.

10. Consider Mileage Reimbursement Policy for Elected Officials: Chairman Alexander moved, seconded by Selectman Chatterjee to adopt the mileage reimbursement proposal for elected officials with an effective date of 4/1/07; motion passed 3-0.

11. Consider New Road Name: Selectman Haible moved, seconded by Selectman Chatterjee to accept the road name of “Benaquist Way”; motion passed 3-0.

12. Consider Assessing Services Contract: Chairman Alexander moved, seconded by Selectman Haible to accept the new contract. The Board agreed that Mr. Lebel is very knowledgeable, professional and saves the Town from hiring an attorney in certain cases. Selectman Chatterjee moved, seconded by Selectman Haible to approve the contract with the proviso that language be added for renewal; and to allow the Administrator to sign the contract; motion passed 3-0.

13. Consider Updated Contingency Policy: Chairman Alexander read the proposed policy amendment as presented and approved by the Budget Advisory Committee and moved its adoption; seconded by Selectman Chatterjee; motion passed 3-0.

14. Mitchell Field Budget Considerations 2008: Administrator Eiane explained that Mitchell Field has not had a budget in the past, just minimal maintenance costs covered by carryover monies. Selectman Chatterjee moved, seconded by Chairman Alexander to direct Administrator Eiane to include a budget item for operations and maintenance of Mitchell Field in the 2008 budget process. This would, in affect, also terminate any carryover accounts for such items. Motion passed 3-0.

15. Report on Responses to Mitchell Field RFP: Administrator Eiane explained that five qualified responses have been received and that a selection group (3 members of Mitchell Field Committee; Jay Chace, Town Planner; Kristi Eiane, Town Administrator; and Selectman Haible) will review the responses to determine which respondents should be invited to make oral presentations.

16. Dog Warrant For Unlicensed Dogs: Administrator Eiane explained that this is an annual process to authorize the animal control officer to follow-up on unregistered dogs and seek late fees. Selectman Chatterjee moved, seconded by Chairman Alexander to approve the warrant; motion passed 3-0.

17. Shellfish Warden Appointments: Chairman Alexander moved, seconded by Selectman Chatterjee to appoint Ray MacIntire and George “Lee” Bradbury as shellfish wardens; motion passed 3-0.

18. Selectmen Liaison Responsibilities: Selectman Chatterjee explained that since the Town has full staff in many of the committee areas of interest, it is time to consider replacing the Board liaison role with the appropriate staff person with the exception of three areas where Selectmen need to continue their roles: Budget Advisory, Marine Resource and Mitchell Field. Selectman Chatterjee moved, seconded by Selectman Haible to accept the proposed list of liaison assignments; motion passed 3-0. Selectman Haible noted there are a lot of meetings and she enjoys working with each committee. Selectmen obviously may participate at will in any committee meetings.

19. Authorization of the Warrant: Kristi Eiane, Town Administrator recommended approval of Warrant 9, 9A, 9B and Payroll Warrant 9. Chairman Alexander moved, seconded by Selectman Chatterjee to approve Warrants 9, 9A and 9B in the total amount of \$90,515.68; motion passed 3-0. Selectman Haible moved, seconded by Chairman Alexander to approve Payroll Warrant 9 in the amount of \$16,888.67; motion passed 3-0.

20. Approval of the Minutes: Deleted.

21. Public Comment: Dan Boland stated the Housing Sub-Committee report should be in the Town report as submitted, without revision. If not, the Committee requests its name be removed from the report. Selectman Haible noted that she has a written request from Hildegard Bird, Sally Carignan and Paula Conley to accept the report as submitted or remove the report from the Town report. Chairman Alexander moved, seconded by Selectman Chatterjee to remove the Housing Sub-Committee report from the Town Report; motion passed 2-1 (Selectman Haible opposed).

Chairman Alexander moved, seconded by Selectman Haible to enter Executive Session pursuant to 1 M.R.S.A. §405 (6)(a) for a personnel matter; motion passed 3-0.

The Board returned to open session at approximately 9:56 p.m. Selectman Haible moved, seconded by Selectman Chatterjee to increase the Planning Office budget by \$4,000; motion passed 3-0.

22. Adjournment: The meeting was adjourned by unanimous vote at 9:58 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer

Attachments: Amended Personnel Policy
 Deferred Compensation Plan
 Mileage Reimbursement Proposal
 Contingency Policy